IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.04.2007

CORAM:

THE HON'BLE MR. JUSTICE P. SATHASIVAM
AND
THE HON'BLE MR. JUSTICE S. TAMILVANAN

WRIT APPEAL No.3793 of 2004
and WAMP.No.7164 of 2004

E.R. Kalaivan .. Appellant

vs.

1.Tamil Nadu Electricity Board
rep. By its Chairman
600 Anna Salai, Chennai 2.

2.Superintending Engineer
Tamil Nadu Electricity Board
Sivagangai.

3.Assistant Engineer
Tamil Nadu Electricity Board
Nattarasankottai
Sivagangai. .. Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order of His Lordship Mr. Justice K. Ravi Raja Pandian in WPMP.No.10666 of 2004 in W.P.No.9133 of 2004 dated 15.06.2004. presented to this Court under Article 226 of the Constitutioin of India to issue a Writ of certiorarified Mandamus calling for the Connected records relating to the impugned order No. Permanent B.P. (F.B) No. 25 (Account Branch) dated 31.10.2000 passed by the Tamilnadu Electricity Board, represented by its Chairman at 800, Anna Salai, Chennai- 600 002 the first respodnent herein quash teh same, and consequently direct te respondents to follow the existing procedure for effecting new Service Connection in respect to allow tension Service by the Tamilnadu Electricity Board.

For appellant : No appearance

For respondents : Mr. R. Subbiah

JUDGMENT

(Judgement of the Court was delivered by P. SATHASIVAM,J.)

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The above writ appeal is directed against the order of the learned single Judge dated 15.06.2004 made in WPMP.No.10666 of 2004 in

W.P.No.9133 of 2004, in and by which the learned Judge, after finding that, if the impugned order is stayed at this stage, it would amount to allowing the main writ petition, dismissed the stay petition.

2. We perused the impugned order which is under challenge in the writ petition as well as the reasoning of the learned Judge. We are of the view that it is desirable to dispose of the writ petition itself one way or the other. On this ground, we are not inclined to interfere with the order of the learned Judge dismissing the stay petition. Accordingly, the writ appeal is dismissed. No costs. Consequently, connected WAMP., is also dismissed.

Registry is directed to post the writ petition, viz., W.P.No.9133 of 2004 for final hearing before the concerned Judge dealing with the subject on 04.06.2007.

kh

Sd/
Asst. Registrar

/true copy/

Sub Asst.Registrar

To

1.The Chairman
Tamil Nadu Electricity Board
600 Anna Salai, Chennai 2.

2.Superintending Engineer
Tamil Nadu Electricity Board
Sivagangai.

3.Assistant Engineer
Tamil Nadu Electricity Board
Nattarasankottai
Sivagangai.
+ One cc to M/s. S. Mani Advocates SR 22759

Copy to:
The Section Officer,
Writ Section,
High Court,
Madras.
(To Post the W.P.No. 9133 of 2004 for final hearing on 4.6.2007).

MBS (co)
sg 1/4/07

Judgement in
W.A.No.3793 of 2004

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Dated:09.04.2007